

A RESOLUTION BY

*[Signature]* C.T. Martin *[Signature]*

*[Signature]*

*[Signature]*

00-R-1854

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT WITH ACI/EGM, FOR FC-7023-98, NEW ADAMSVILLE RECREATION CENTER, ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS IN AN AMOUNT NOT TO EXCEED THIRTEEN MILLION ONE HUNDRED FIFTY THOUSAND DOLLARS AND NO CENTS (\$13,150,000.00), ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBER:

**WHEREAS**, the Director of the Bureau of Purchasing and Real Estate did advertise for FC-7023-98, New Adamsville Recreation Center on behalf of the Department of Parks, Recreation and Cultural Affairs; and

**WHEREAS**, the Acting Commissioner of the Department of Parks, Recreation and Cultural Affairs and the Director of the Bureau of Purchasing and Real Estate have recommended that the contract for FC-7023-98, New Adamsville Recreation Center be awarded to the lowest and most responsive and responsible bidder, ACI/EGM; and

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA**, that the Mayor be and is hereby authorized to enter into an appropriate contractual agreement with ACI/EGM for FC-7023-98, New Adamsville Recreation Center in an amount not to exceed Thirteen Million One Hundred Fifty Thousand Dollars and No Cents (\$13,150,000.00); and

**BE IT FURTHER RESOLVED**, that the Director of Purchasing be and is hereby directed to prepare an appropriate contractual agreement for execution by the Mayor, to be approved by the City Attorney as to form.

**BE IT FURTHER RESOLVED**, that this contractual agreement should not become binding on the City, and the City shall incur no liability upon same until such contract has been executed by the Mayor and delivered to the contracting party.

**BE IT FURTHER RESOLVED**, that all services for said contracted work shall be charged to



1999 OCT 22

CITY OF ATLANTA

CITY HALL EAST

675 PONCE DE LEON AVENUE N.E., SUITE 800

ATLANTA, GEORGIA 30308

TEL: (404) 817-6793 • FAX: (404) 817-6929

BILL CAMPBELL  
MAYOR

DEPARTMENT OF  
PARKS, RECREATION  
AND CULTURAL AFFAIRS

A RESOLUTION BY

*J. M. Kelly* *C.T. Martin* *Michael B. Bell*

*Jeffery S. ...*

*Doug Allen*

00-R-1854

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT WITH ACI/EGM, FOR FC-7023-98, NEW ADAMSVILLE RECREATION CENTER, ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS IN AN AMOUNT NOT TO EXCEED THIRTEEN MILLION ONE HUNDRED FIFTY THOUSAND DOLLARS AND NO CENTS (\$13,150,000.00), ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBER:

**WHEREAS**, the Director of the Bureau of Purchasing and Real Estate did advertise for FC-7023-98, New Adamsville Recreation Center on behalf of the Department of Parks, Recreation and Cultural Affairs; and

**WHEREAS**, the Acting Commissioner of the Department of Parks, Recreation and Cultural Affairs and the Director of the Bureau of Purchasing and Real Estate have recommended that the contract for FC-7023-98, New Adamsville Recreation Center be awarded to the lowest and most responsive and responsible bidder, ACI/EGM; and

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA**, that the Mayor be and is hereby authorized to enter into an appropriate contractual agreement with ACI/EGM for FC-7023-98, New Adamsville Recreation Center in an amount not to exceed Thirteen Million One Hundred Fifty Thousand Dollars and No Cents (\$13,150,000.00); and

**BE IT FURTHER RESOLVED**, that the Director of Purchasing be and is hereby directed to prepare an appropriate contractual agreement for execution by the Mayor, to be approved by the City Attorney as to form.

**BE IT FURTHER RESOLVED**, that this contractual agreement should not become binding on the City, and the City shall incur no liability upon same until such contract has been executed by the Mayor and delivered to the contracting party.

**BE IT FURTHER RESOLVED**, that all services for said contracted work shall be charged to and paid from Fund Account and Center Number:

**BUREAU OF PURCHASING AND REAL ESTATE  
LEGISLATION SUMMARY**

**TO:**

**CAPTION:**

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT WITH ACI/EGM, FOR FC-7023-98, NEW ADAMSVILLE RECREATION CENTER, ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS IN AN AMOUNT NOT TO EXCEED THIRTEEN MILLION ONE HUNDRED FIFTY THOUSAND DOLLARS AND NO CENTS (\$13, 150,000.00), ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBER:

**REQUESTING**

**DEPARTMENT:** Department of Parks, Recreation and Cultural Affairs

**CONTRACT TYPE:** Construction

**AWARDEE:** ACI/EGM

**SOURCE**

**SELECTION:** Sealed Bids (See attached bid tabulation sheet)

**BID OPENING:** October 13, 1999

**INVITATIONS**

**ISSUED:** 370

**BIDS**

**RECEIVED:** 3

**BIDDERS:**

ACI/EGM	\$13,150,000.00
Action Development	\$14,000,000.00
Paramount Contracting Company	\$14,380,000.00

**BACKGROUND:**

A new two-story state-of-the art recreation center, gymnasium, and natatorium (approximately 97,240 sq. ft.) located on a 9.42 acre site. The site will include a parking lot for 185 cars, site utilities, and other site improvements including grading, concrete curbs and sidewalks. The construction of the facility will include concrete, masonry, metal structural components, metal roofing with skylights, doors and windows, interior finishes, elevator, one 50 meter swimming pool, one training pool, mechanical, plumbing, and electrical.

**TERM OF CONTRACT:** 18 Months

**EVALUATION TEAM**

**COMPOSITION:** DPRCA, OCC, Risk Management

**SABRINA D. WATTS,  
CONTRACTING OFFICER**

**PROJECT TITLE: NEW ADAMSVILLE RECREATION CENTER**

**TOTAL # OF BIDDERS: 4**[illegible]



received  
12-8-99  
Bda

## CITY OF ATLANTA

BILL CAMPBELL  
MAYOR

OFFICE OF CONTRACT COMPLIANCE  
55 TRINITY AVENUE, S.W., SUITE 1700  
ATLANTA, GEORGIA 30335  
TEL (404) 330-6010  
FAX (404) 658-7359

SUSAN M. BRONSTON  
ACTING DIRECTOR

To: Felicia Strong-Whitaker, Director  
Bureau of Purchasing & Real Estate

From: Susan Bronston Sullivan, Interim Director  
Office of Contract Compliance

Date: November 2, 1999

RE: Recommendation for FC-7023-98, New Adamsville Recreation Center

We are in receipt of three(3) bids for the above referenced project. The Office of Contract Compliance has carefully reviewed the bids to determine the bids' responsiveness. The review has been conducted in a manner consistent with the rulings of the U.S. Supreme Court and the 11th Circuit Court of Appeals. In accordance with the ruling in Engineering Contractors of South Florida v. Metropolitan Dade County, 122 F. 3d 895, 926 (11th Cir. 1997), the City of Atlanta's Equal Business Opportunity Ordinance establishes aspirational goals for participation by firms owned and controlled by minorities and females and provides for the waiver of those goals in appropriate circumstances. Minority and female participation goals were set for this project. Where every goal was not met by a responsive bidder, adequate information was submitted by that bidder and a waiver was granted to comply with the courts' requirements that all goals be narrowly tailored for every project. Failure to provide for and to grant, where appropriate, waivers of minority and female participation goals would make the City of Atlanta's EBO program inconsistent with the line of cases beginning with the City of Richmond v. Croson, 488 U.S. (1989) and subject to challenge.

The EBO Participation Goal for this Project is set forth below:

A Joint Venture with a Single Certified MFBE  
And

Subcontract and Supplier Participation:

African American Business Enterprises (AABEs)	30%
Female Business Enterprises (FBEs)	3%
Hispanic Business Enterprises (HBEs)	3%
Asian American Business Enterprises (ABEs)	1%

Page 2  
Felicia Strong-Whitaker  
November 2, 1999  
FC-7023-98

ACI/EGM  
EBO Participation  
AABE.....37%  
FBE.....0.4%  
HBE.....0%  
ABE.....0%

---

Responsive 37.4% Total

Paramount Contracting Co.  
EBO Participation  
AABE.....20%  
FBE.....0.01%  
HBE.....2%  
ABE.....0.5%

---

Non-Responsive 22.51% Total

Action Development  
EBO Participation  
AABE.....0%  
FBE.....0%  
HBE.....0%  
ABE.....0%

---

Non-Responsive 0% Total

If you have any questions, please contact me at (404) 330-6010 or Bruce Bell at (404) 853-7507.

cc:  
Sabrina Watts, BPRE  
Bruce Bell, OCC

00-R-1854  
(Do Not Write Above This Line)

A RESOLUTION

BY COUNCILMEMBER C. T. MARTIN  
*Guy Hall*  
A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT WITH ACI/EGM, FOR FC-7023-98, NEW ADAMSVILLE RECREATION CENTER, ON BEHALF OF THE DEPARTMENT OF PARKS RECREATION AND CULTURAL AFFAIRS IN AN AMOUNT NOT TO EXCEED THIRTEEN MILLION ONE HUNDRED FIFTY THOUSAND DOLLARS AND NO CENTS \$13,150,000.00), ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBER:

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☒ 1st ADOPT 2nd READ & REFER
- ☐ PERSONAL PAPER REFER

Date Referred 11/7/00  
Referred To: *CD/HHR*  
Date Referred  
Referred To:  
Date Referred  
Referred To:

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred to \_\_\_\_\_

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

CERTIFIED

FINAL COUNCIL ACTION  
☐ 2nd ☐ 1st & 2nd ☐ 3rd  
Readings  
☐ Consent ☐ V Vote ☐ PRC Vote

MAYOR'S ACTION